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SUBJECT: SUPPORTING DEMOCRACY AND HUMAN RIGHTS: VIETNAM

Ref: 03 STATE 333935

Following is the US Mission in Vietnam's submission for the 2003-04 edition of Supporting Human Rights and Democracy: The U.S. Record.

Vietnam is a single-party state, ruled and controlled by the Communist Party of Vietnam (CPV). The Government of Vietnam (GVN) restricted both political and religious freedoms through a number of means during 2003, including by detaining and imprisoning activists who criticized the GVN, by subjecting religions to strict registration requirements and obstructing the activities of "unauthorized" religious groups, by censoring domestic media sources and blocking foreign radio stations and websites, and by denying citizens the right to form independent organizations. Restrictions on religious freedom were particularly noticeable among ethnic-minority Protestant groups in the Central and Northwest Highlands. The USG has maintained close ties with political activists and religious groups in Vietnam in order to identify and highlight abuses, and has pushed for reform during meetings in Vietnam and the United States, including in discussions between Secretary Powell and the deputy prime minister of Vietnam. Through State Department-, USAID-, and Department of Labor-funded programs, the US Mission in Vietnam seeks to heighten awareness of democratic principles at the grassroots level, and to develop a transparent and responsive legal system in Vietnam. Our efforts have resulted in the opening of new churches in the Central Highlands, greater GVN tolerance for the operation of "unauthorized" churches in several areas, a reduction of prison sentences for some religious and political activists, programs to protect trafficked women, the ratification of an ILO convention against child labor, and the public availability of much of Vietnam's legal code, among other successes.

The USG engaged the GVN on human rights issues at all levels over the course of the year. Mission officers traveled widely through the country to investigate allegations of abuses, and virtually every Mission officer and most senior USG visitors to Vietnam raised human rights in their meetings with GVN officials. Through the Embassy in Hanoi and Consulate General in Ho Chi Minh City, USG officers explained international concerns and basic rights standards to Vietnamese officials from the local level to the highest ranks of the GVN and CPV. In Washington, Department officers up to and including Secretary Powell repeatedly stressed human rights concerns in meetings with visiting GVN officials. This constant diplomatic pressure has produced noticeably greater GVN attention to human rights and religious freedoms in Vietnam. (Unlike in past years, the USG declined to hold a bilateral human rights dialogue with the GVN in 2003 as a sign of our displeasure over slow progress on human rights issues.)

The USG increased legal transparency in Vietnam by funding a successful \$8 million, three-year program to help the GVN develop and codify a better and more transparent legal framework as part of the implementation of the U.S.-Vietnam Bilateral Trade Agreement. Among the 2003 activities of this program were 54 training and policy workshops with 3330 participants, and three study tours for 22 senior legislative and judicial officials. The Official Gazette - the Vietnamese equivalent of the Federal Register - began daily publication in July, from six issues per month previously, making the improvements in the Vietnamese legal code available to all, in both Vietnamese and English. This year we also began a \$200,000 per year program focused specifically on working with government officials to modernize the Vietnamese Law on Associations which, when completed, will allow independent domestic NGOs to flourish.

The GVN took a significant positive step by ratifying ILO Convention 138 on minimum working age in June, as long encouraged by the USG. With funds from the Department of Labor, in 2003 the Mission began a \$325,000 per year program to improve employment opportunities for people with disabilities as well as a \$200,000 per year project to build the capacity of the GVN to combat the problem of child labor.

The Mission sought to advance awareness of human rights and democracy issues in the media by funding Vietnamese journalists to participate in an international visitors program entitled Democracy and Legal Reform in the United States, and a regional program on Refugees and Trafficking. The Mission also initiated and helped arrange a Voluntary Visitor Program for the Vice Chairman of the Ethnic Minorities Commission as well as other Commission representatives and officials from provinces with significant ethnic minority populations to expose them to US values and treatment of minorities. The Embassy's Public Affairs Section also worked with a Vietnamese organization to fund a series of workshops in four cities on the legal rights and responsibilities of citizens, hold legal clinics, and produce a series of pamphlets on such topics as citizens' rights and basic issues in the Vietnamese legal code.

The USG continued to research and better document restrictions on religious freedom in Vietnam, and to raise our concerns at all levels in interactions with the GVN. For example, after USG officials highlighted the case of an "unofficial" Protestant church threatened with demolition in Ho Chi Minh City, GVN authorities backed off their threats and eventually allowed the church to continue operations. In November, Ambassador at Large for International Religious Freedom John Hanford visited Vietnam to set forth concrete steps - including the release of religious prisoners and allowing the opening of new churches - that the GVN should take to meet international concerns. Subsequent to that visit, the GVN issued a directive calling for the "continuation of normalizing of relations with the [Protestant Church] in the Central Highlands" and stating a Bible training center may be permitted to open soon, and also allowed a 40% increase in the number of officially registered Protestant churches in the highlands.

The USG continued to encourage the GVN to ratify additional ILO conventions addressing worker rights and recognizing core worker rights. We stressed the need to continue to discuss issues surrounding freedom of association and collective bargaining. In addition, a Department of Labor (DOL) program on dispute prevention and resolution for representatives of more than seventy enterprises started its work and enjoyed great cooperation from the GVN. Another DOL program worked with the GVN to improve the country's social insurance system.

To counter the problem of trafficking in persons, the USG provided more than \$500,000 in funds to international non-governmental organizations (NGOs) from a variety of backgrounds. These NGOs operated a shelter for victims of trafficking repatriated from Cambodian brothels, as well as a number of programs to assist returned victims of trafficking and protect women and children in high-risk areas by providing awareness training, vocational training, and economic opportunity through microcredit programs. USG officials at the working and policy levels continued to engage GVN counterparts on trafficking in persons issues, and USG officers in Hanoi and Ho Chi Minh City played an important role in coordinating and focusing the international community's response to the trafficking problem in Vietnam.

Major USG-Funded Human Rights and Democracy Programs in Vietnam

- \$8 million over three years to help the GVN develop and codify a better and more transparent legal framework.
- \$1.7 million over three years to improve industrial relations, including the prevention and settlement of disputes.
- \$650,000 over two years to improve employment opportunities for the disabled by revising relevant legislation, and training staff of employment service centers to better assist people with disabilities.
- \$500,000 over two and a half years to prevent child labor, withdraw current child workers from the labor force, and fund rehabilitation programs for these children.
- \$375,000 for a one-year program to assist in the establishment of social accountability standards for Vietnamese enterprises.
- \$300,000 over 18 months to modernize the Law on Associations and related decrees.
- \$288,000 over two years to strengthen the capacity of Vietnamese law enforcement to counter trafficking in persons.
- \$243,000 over two years to reduce the trafficking of women and violence against women through education, community monitoring, and economic empowerment programs of vulnerable women and families.
- \$60,000 per year to operate a shelter for victims of trafficking repatriated from Cambodian brothels.
- \$25,000 for a one-year program to conduct workshops on legal rights and responsibilities of citizens, hold legal

clinics, and produce a series of pamphlets explaining citizens' rights and major issues in the Vietnamese legal code.

BURGHARDT